

- A<sup>3</sup>
8. The absorbent article of Claim 7 wherein the preferential acquisition zone is defined by a transverse width and a longitudinal length, wherein the width is between 10 mm and 80 mm and the length is between 20 mm and 120 mm.

### REMARKS

Claims 1-10 are now pending in the case. Claims 2, 4, 5, and 8 have been amended.

### Claims

Claim 2 has been amended to recite that the preferential acquisition zone is provided with the skin care composition of not greater than  $20 \text{ g/m}^2$ . The basis for the change is found in original Claim 2.

Claim 4 has been amended to recite that the skin care composition is provided on the topsheet of the preferential acquisition zone. Claim 4 also recites that the acquisition rate of the portion of the topsheet which is provided with the skin care composition is not less than 70 % of the topsheet before the skin care composition is applied. The basis for this change is found in original Claim 4.

Claim 5 has been amended to recite that the at least a portion of the skin care zone is provided with a skin care composition of between  $0.1 \text{ g/m}^2$  and  $100 \text{ g/m}^2$ . The basis for the change is found in original Claim 5.

Claim 8 has been amended to recite that the preferred acquisition zone is defined by a transverse width and a longitudinal length, wherein the width is between 10 mm and 80 mm and the length is between 20 mm and 120 mm. The basis for this change is found in original Claim 8.

Attached hereto is a marked-up version of the changes made to Claims 2, 4, 5, and 8. The attached page is captioned "**Version with Markings to Show Changes Made.**"

### Rejection Under - 35 U.S.C. § 112

Claims 2, 4, 5 and 8 have been rejected in the Office Action under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action points to the word preferably as indefinite in Claims 2, 4, 5, and 8 because the Examiner feels it is unclear whether the narrow range or limitation is restrictive to the broader range. Claims 2, 4, 5 and 8 have been amended to include only one range within the body of the claim. The Examiner contends that Claim 4 is unclear as it contains subject matter, which is defined by a result to be achieved. It is respectfully submitted that the limitation within Claim 4 is not defined by a result to be achieved but sets parameters for

choosing a material for the preferred acquisition zone. As amended, Claim 4 states that the acquisition rate of the portion of the topsheet which is provided with the skin care composition is not less than 70 % of the topsheet before the skin care composition is applied. In light of the amendments and remarks, the Examiner is respectfully requested to withdraw the rejection under 35 U.S.C. § 112, second paragraph, and allow the Claims.

**Rejections Under - 35 U.S.C. § 103 (a)**

Claim 1-3, 5-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 99/12530.

Applicants respectfully traverse the rejection(s) on this basis.

The Office Action states that absorbent article in WO 99/12530 comprises a topsheet, a backsheet and an absorbent core therebetween, a skin care zone that provided with a skin care composition. The Office Action states that the absorbent article in WO 99/12530 has an acquisition zone. The Office Action states that the absorbent article in WO 99/12530 comprises regions with greater or lesser amounts of composition (lower average basis weight zones). The Office Action states that the absorbent article in WO 99/12530 has three regions, side panels (flaps) wherein each region may have a skin care composition in adequate amounts. The Office Action further states that WO 99/12530 does not teach the particular size of the acquisition zone, but does state that the size may be varied to accommodate the wearer. It is contended in the Office Action that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of WO 99/12530. The Office Action further contends that one having ordinary skill in the art would have been motivated to prepare the composition of the WO 99/12530 which comprises an absorbent article having an acquisition zone and a skin care zone and the expected result would be an absorbent article comprising a topsheet, backsheet and an absorbent core. Contrary to the Examiner's position, however, the WO 99/12530 does not render obvious the Applicants' present invention.

If one looks to the Applicants' invention and the reference as whole, it is submitted that WO 99/12530 does not make Applicants' invention obvious because the reference does not teach or suggest each and every element within independent Claim 1. The Applicants' present invention provides for an absorbent article having a body surface and a garment surface. The absorbent article comprises a topsheet disposed at the body surface, a backsheet disposed at the garment surface, and an absorbent core disposed therebetween, at least a portion of the absorbent article being provided with a skin care composition. The Applicants' present invention has a preferential acquisition zone and a skin care zone. The preferential acquisition zone covers at least a portion of the vulva of the wearer when the absorbent article is applied to the wearer's body. The skin care zone is provided

with the skin care composition of a greater basis weight than the preferential acquisition zone. WO 99/12530 does not disclose applying differing basis weights of the skin care composition to various zones of the absorbent article. WO 99/12530 does disclose that the configuration and construction of the absorbent core may be varied having various caliper, hydrophilic gradients, and basis weights (See WO 99/12530, page 32, first paragraph). While WO 99/12530 discloses a skin care composition, the inventors of WO 99/12530 having ordinary skill in the art and the knowledge within WO 99/12530 at the time the invention was made did not choose to apply skin care compositions having differing basis weights to various parts of the absorbent article. Therefore, WO 99/12530 does not render independent Claim 1 unpatentable under 35 U.S.C. § 103. Claims 2-10 depend from Claim 1 and are patentable for the same reason as Claim 1. For the reasons given above, the Examiner is respectfully requested to withdraw the rejections under 35 U.S.C. § 103.

### SUMMARY

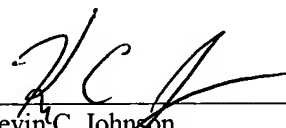
All of the relevant rejections in the Office Action have been discussed.

No new matter has been added by the Amendment.

In light of the amendments contained herein, Applicants respectfully request reconsideration of all rejections and allowance of all claims. Early and favorable action is respectfully requested.

Respectfully submitted,

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**Version with Markings to Show Changes Made**

2. The absorbent article of Claim 1 wherein the preferential acquisition zone is provided with the skin care composition of not greater than  $20 \text{ g/m}^2$ \_, preferably not greater than  $12 \text{ g/m}^2$ , more preferably not greater than  $4 \text{ g/m}^2$ .]
4. The absorbent article of Claim 1 wherein the skin care composition is provided on the topsheet of the preferential acquisition zone, wherein the acquisition rate of the portion of the topsheet which is provided with the skin care composition is not less than 70 % of the topsheet before the skin care composition is applied.\_[, preferably not less than 75% of the acquisition rate of the topsheet before the skin are composition is applied, more preferably not less than 85% of the acquisition rate of the topsheet before the skin are composition is applied.]
5. The absorbent article of Claim 1 wherein at least a portion of the skin care zone is provided with a skin care composition of between  $0.1 \text{ g/m}^2$  and  $100 \text{ g/m}^2$ \_ [preferably between  $0.5 \text{ g/m}^2$  and  $90 \text{ g/m}^2$ , more preferably between  $1 \text{ g/m}^2$  and  $80 \text{ g/m}^2$ .]
8. The absorbent article of Claim 7 wherein the preferential acquisition zone is defined by a transverse width and a longitudinal length, wherein the width is between 10 mm and 80 mm and the length is between 20 mm and 120 mm.\_[, preferably the width is between 20 mm and 70 mm and the length is between 30 mm and 110 mm, more preferably the width is between 30 mm and 60 m and the length is between 40 mm and 100 mm.]